

Hart	McCarthy (MO)	Ryan (WI)	Saxton	Sweeney	Turner (OH)	Green (WI)	Markey	Royce
Hastings (WA)	McCollum	Ryun (KS)	Scott (GA)	Tancredo	Vitter	Gutknecht	Marshall	Ryan (OH)
Hayes	McCotter	Sabo	Shadegg	Tauzin	Wamp	Hall	Matheson	Ryan (WI)
Hayworth	McCrery	Sánchez, Linda	Shaw	Taylor (NC)	Watson	Harman	McCarthy (MO)	Ryun (KS)
Hefley	McDermott	T.	Shays	Terry	Watt	Harris	McCollum	Sabo
Hensarling	McHugh	Sanchez, Loretta	Shimkus	Toomey	Weldon (PA)	Hart	McCotter	Sánchez, Linda
Herger	McInnis	Sanders	Smith (MI)	Towns	Young (AK)	Hastings (WA)	McCrery	T.
Herseth	McIntyre	Schakowsky				Hayes	McDermott	Sanchez, Loretta
Hinchey	McKeon	Schiff				Hayworth	McHugh	Sanders
Hinojosa	McNulty	Schrock				Hefley	McInnis	Saxton
Hoekstra	Meehan	Scott (VA)				Hensarling	McIntyre	Schakowsky
Holden	Meeks (NY)	Sensenbrenner				Herger	McKeon	Schiff
Holt	Mica	Serrano				Herseth	McNulty	Schrock
Honda	Michaud	Sessions				Hinchey	Meehan	Scott (VA)
Hooley (OR)	Miller (FL)	Sherman				Hinojosa	Meeks (NY)	Sensenbrenner
Hostettler	Miller (MI)	Sherwood				Hoekstra	Menendez	Serrano
Hoyer	Miller (NC)	Shuster				Holden	Mica	Sessions
Hulshof	Miller, Gary	Simmons				Holt	Michaud	Sherman
Hunter	Miller, George	Simpson				Honda	Miller (FL)	Sherwood
Hyde	Moore	Skelton				Hooley (OR)	Miller (MI)	Shuster
Inslee	Moran (KS)	Slaughter				Hostettler	Miller (NC)	Simmons
Israel	Murphy	Smith (NJ)				Hoyer	Miller, Gary	Simpson
Issa	Musgrave	Smith (TX)				Hulshof	Miller, George	Skelton
Istook	Napolitano	Smith (WA)				Hunter	Moore	Slaughter
Jackson (IL)	Neugebauer	Snyder				Hyde	Moran (KS)	Smith (NJ)
Jefferson	Ney	Solis				Inslee	Murphy	Smith (TX)
Jenkins	Northup	Souder				Israel	Musgrave	Smith (WA)
Johnson (CT)	Norwood	Spratt				Issa	Napolitano	Snyder
Johnson (IL)	Nussle	Stark				Istook	Neugebauer	Solis
Johnson, E. B.	Oberstar	Stearns				Jackson (IL)	Ney	Souder
Johnson, Sam	Obey	Stenholm				Jefferson	Northup	Spratt
Jones (NC)	Oliver	Strickland				Jenkins	Norwood	Stark
Kanjorski	Osborne	Stupak				Johnson (CT)	Nussle	Stearns
Kaptur	Ose	Sullivan				Johnson (IL)	Oberstar	Stenholm
Keller	Otter	Tanner				Johnson, E. B.	Obey	Strickland
Kelly	Oxley	Tauscher				Johnson, Sam	Oliver	Stupak
Kennedy (MN)	Pascarell	Taylor (MS)				Jones (NC)	Osborne	Sullivan
Kildee	Pastor	Thomas				Kanjorski	Ose	Tancredo
Kind	Paul	Thompson (CA)				Kaptur	Otter	Tanner
King (IA)	Pearce	Thompson (MS)				Keller	Oxley	Tauscher
King (NY)	Pence	Thornberry				Kelly	Pascarell	Taylor (MS)
Kingston	Peterson (MN)	Tiahrt				Kennedy (MN)	Pastor	Thomas
Kirk	Petri	Tiberi				Kildee	Paul	Thompson (CA)
Klecza	Pitts	Tierney				Kind	Pearce	Thompson (MS)
Kline	Platts	Turner (TX)				King (IA)	Pence	Thornberry
Knollenberg	Pombo	Udall (CO)				King (NY)	Peterson (MN)	Tiahrt
Kolbe	Pomeroy	Udall (NM)				Kingston	Petri	Tiberi
Kucinich	Porter	Upton				Kirk	Pitts	Tierney
LaHood	Price (NC)	Van Hollen				Klecza	Platts	Turner (TX)
Langevin	Pryce (OH)	Velázquez				Kline	Pombo	Udall (CO)
Larson (CT)	Putnam	Visclosky				Knollenberg	Pomeroy	Udall (NM)
Latham	Quinn	Walden (OR)				Kolbe	Porter	Upton
LaTourette	Rahall	Walsh				Kucinich	Price (NC)	Van Hollen
Leach	Ramstad	Waters				LaHood	Pryce (OH)	Velázquez
Lee	Rangel	Waxman				Langevin	Putnam	Visclosky
Levin	Regula	Weiner				Larson (CT)	Quinn	Walden (OR)
Lewis (CA)	Rehberg	Weldon (FL)				Latham	Radanovich	Walsh
Lewis (GA)	Renzi	Weller				LaTourette	Rahall	Waters
Lewis (KY)	Reynolds	Wexler				Leach	Ramstad	Waxman
Linder	Rogers (AL)	Whitfield				Lee	Rangel	Weiner
LoBiondo	Rogers (KY)	Wicker				Levin	Regula	Weldon (FL)
Lofgren	Rogers (MI)	Wilson (NM)				Lewis (CA)	Rehberg	Weller
Lowey	Rohrabacher	Wilson (SC)				Lewis (GA)	Renzi	Wexler
Lucas (KY)	Ros-Lehtinen	Wolf				Lewis (KY)	Reynolds	Whitfield
Lucas (OK)	Ross	Woolsey				Linder	Rogers (AL)	Wicker
Maloney	Rothman	Wu				LoBiondo	Rogers (KY)	Wilson (NM)
Manzullo	Roybal-Allard	Wynn				Lofgren	Rogers (MI)	Wilson (SC)
Markey	Royce	Young (FL)				Lowey	Rohrabacher	Wolf
Marshall	Ryan (OH)					Lucas (KY)	Ros-Lehtinen	Woolsey
Matheson						Lucas (OK)	Ross	Wu
						Maloney	Rothman	Wynn
						Manzullo	Roybal-Allard	Young (FL)

NOT VOTING—99

Ackerman	Gephardt	McCarthy (NY)
Alexander	Gerlach	McGovern
Bartlett (MD)	Gilchrest	Meek (FL)
Becerra	Goode	Menendez
Berman	Green (TX)	Millender-
Bishop (UT)	Greenwood	McDonald
Boehlert	Grijalva	Mollohan
Brady (PA)	Gutierrez	Moran (VA)
Brown (OH)	Hastings (FL)	Murtha
Brown, Corrine	Hill	Myrick
Brown-Waite,	Hobson	Nadler
Ginny	Hoeffel	Neal (MA)
Burton (IN)	Houghton	Nethercutt
Buyer	Isakson	Nunes
Cannon	Jackson-Lee	Ortiz
Capuano	(TX)	Owens
Carson (OK)	John	Pallone
Cooper	Jones (OH)	Payne
Cummings	Kennedy (RI)	Pelosi
DeMint	Kilpatrick	Peterson (PA)
Dicks	Lampson	Pickering
Doggett	Lantos	Portman
Dunn	Larsen (WA)	Reyes
Fattah	Lipinski	Rodriguez
Forbes	Lynch	Ruppersberger
Frost	Majette	Rush
Gallegly	Matsui	Sandlin

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes left in the vote.

□ 1902

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONGRATULATING AMERICAN DENTAL ASSOCIATION FOR SPONSORING SECOND ANNUAL “GIVE KIDS A SMILE” PROGRAM

The SPEAKER pro tempore (Mrs. BLACKBURN). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 567.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and agree to the resolution, H. Res. 567, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yea 338, nays 0, not voting 94, as follows:

[Roll No. 489]

YEAS—338

Abercrombie	Calvert	DeLay
Aderholt	Camp	Deutsch
Akin	Cantor	Diaz-Balart, L.
Allen	Capito	Diaz-Balart, M.
Andrews	Capps	Dingell
Baca	Cardin	Dooley (CA)
Bachus	Cardoza	Doolittle
Baird	Carson (IN)	Doyle
Baker	Carter	Dreier
Baldwin	Case	Duncan
Ballenger	Castle	Dunn
Barrett (SC)	Chabot	Edwards
Bartlett (MD)	Chandler	Ehlers
Barton (TX)	Chocola	Emanuel
Bass	Clay	Emerson
Beauprez	Clyburn	Engel
Bell	Coble	English
Berkley	Cole	Eshoo
Berry	Collins	Etheridge
Biggart	Conyers	Evans
Bilirakis	Costello	Everett
Bishop (GA)	Cox	Farr
Bishop (NY)	Cramer	Feeney
Blackburn	Crane	Ferguson
Blumenauer	Crenshaw	Filner
Blunt	Crowley	Flake
Boehner	Cubin	Foley
Bonilla	Culberson	Ford
Bonner	Cunningham	Frank (MA)
Bono	Davis (AL)	Franks (AZ)
Boozman	Davis (CA)	Frelinghuysen
Boswell	Davis (FL)	Garrett (NJ)
Boucher	Davis (IL)	Gibbons
Boyd	Davis (TN)	Gillmor
Bradley (NH)	Davis, Jo Ann	Gingrey
Brady (TX)	Davis, Tom	Gonzalez
Brown (SC)	Deal (GA)	Goodlatte
Burgess	DeFazio	Gordon
Burns	DeGette	Granger
Burr	Delahunt	Graves
Butterfield	DeLauro	Green (TX)

NOT VOTING—94

Ackerman	Gallegly	Majette
Alexander	Gephardt	Matsui
Becerra	Gerlach	McCarthy (NY)
Berman	Gilchrest	McGovern
Bishop (UT)	Goode	Meek (FL)
Boehlert	Greenwood	Millender-
Brady (PA)	Grijalva	McDonald
Brown (OH)	Gutierrez	Mollohan
Brown, Corrine	Hastings (FL)	Moran (VA)
Brown-Waite,	Hill	Murtha
Ginny	Hobson	Myrick
Burton (IN)	Hoeffel	Nadler
Buyer	Houghton	Neal (MA)
Cannon	Isakson	Nethercutt
Capuano	Jackson-Lee	Nunes
Carson (OK)	(TX)	Ortiz
Cooper	John	Owens
Cummings	Jones (OH)	Pallone
DeMint	Kennedy (RI)	Payne
Dicks	Kilpatrick	Pelosi
Doggett	Lampson	Peterson (PA)
Dunn	Lantos	Pickering
Fattah	Larsen (WA)	Portman
Forbes	Lipinski	Reyes
Frost	Lynch	Rodriguez

Ruppersberger	Smith (MI)	Vitter
Rush	Sweeney	Wamp
Sandlin	Tauzin	Watson
Scott (GA)	Taylor (NC)	Watt
Shadegg	Terry	Weldon (PA)
Shaw	Toomey	Young (AK)
Shays	Towns	
Shimkus	Turner (OH)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 5 minutes remain in this vote.

□ 1910

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent this evening from this chamber. I would like the RECORD to show that, had I been present, I would have voted "yea" on rollcall votes 487, 488, and 489.

PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, I was regrettably delayed in my return to Washington, DC and therefore unable to be on the House Floor for rollcall votes 487, 488, and 489. Had I been here I would have voted "aye" for rollcall vote 487, and "aye" for rollcall vote 488.

In addition, I would have somewhat reluctantly voted "aye" for rollcall vote 489.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, September 30, 2004.

Hon. J. DENNIS HASTERT,
Speaker of the House,
H232 Capitol, Washington, DC.

DEAR MR. SPEAKER: Enclosed are copies of resolutions adopted on September 29, 2004 by the Committee on Transportation and Infrastructure. Copies of the resolutions are being transmitted to the Department of the Army.

Sincerely,

DON YOUNG,
Chairman.

Enclosures.

RESOLUTION—DOCKET 2734, CUYAHOGA RIVER & TRIBUTARIES, SUMMIT COUNTY, OHIO

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army, is requested to review the report on the Cuyahoga River published in June 1975 entitled, "Second Interim Preliminary Feasibility Report on Cuyahoga River Flood Control Study," other pertinent

reports to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of water quality, environmental restoration and protection, recreation, flood damage reduction and other related purposes within the Cities of Hudson, Munroe Falls, and Cuyahoga Falls, as well as Silver Lake Villager in Summit County, Ohio.

RESOLUTION—DOCKET 2735, GUAYANES RIVER, YABUCOA, PUERTO RICO

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested pursuant to Section 204 of the Flood Control Act of 1970, P.L. 91-611, to survey the Guayanes River in the Yabucoa Valley, Puerto Rico, in the interest of providing improvements for urban flood damage reduction and other related purposes.

RESOLUTION—DOCKET 2736, GLEN JEAN, WEST VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Ohio River and Tributaries, Pennsylvania, Ohio and West Virginia published as House Document No. 306, Seventy-fourth Congress, 1st Session, and other pertinent reports to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of flood damage reduction and related purposes in the community of Glen Jean, West Virginia and its vicinity.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken tomorrow.

NORTH KOREAN HUMAN RIGHTS ACT OF 2004

Mr. LEACH. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 4011) to promote human rights and freedom in the Democratic Republic of Korea, and for other purposes.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "North Korean Human Rights Act of 2004".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Findings.
- Sec. 4. Purposes.
- Sec. 5. Definitions.

TITLE I—PROMOTING THE HUMAN RIGHTS OF NORTH KOREANS

Sec. 101. Sense of Congress regarding negotiations with North Korea.

Sec. 102. Support for human rights and democracy programs.

Sec. 103. Radio broadcasting to North Korea.

Sec. 104. Actions to promote freedom of information.

Sec. 105. United Nations Commission on Human Rights.

Sec. 106. Establishment of regional framework.

Sec. 107. Special Envoy on Human Rights in North Korea.

TITLE II—ASSISTING NORTH KOREANS IN NEED

Sec. 201. Report on United States humanitarian assistance.

Sec. 202. Assistance provided inside North Korea.

Sec. 203. Assistance provided outside of North Korea.

TITLE III—PROTECTING NORTH KOREAN REFUGEES

Sec. 301. United States policy toward refugees and defectors.

Sec. 302. Eligibility for refugee or asylum consideration.

Sec. 303. Facilitating submission of applications for admission as a refugee.

Sec. 304. United Nations High Commissioner for Refugees.

Sec. 305. Annual reports.

SEC. 3. FINDINGS.

Congress makes the following findings:

(1) According to the Department of State, the Government of North Korea is "a dictatorship under the absolute rule of Kim Jong Il" that continues to commit numerous, serious human rights abuses.

(2) The Government of North Korea attempts to control all information, artistic expression, academic works, and media activity inside North Korea and strictly curtails freedom of speech and access to foreign broadcasts.

(3) The Government of North Korea subjects all its citizens to systematic, intensive political and ideological indoctrination in support of the cult of personality glorifying Kim Jong Il and the late Kim Il Sung that approaches the level of a state religion.

(4) The Government of North Korea divides its population into categories, based on perceived loyalty to the leadership, which determines access to food, employment, higher education, place of residence, medical facilities, and other resources.

(5) According to the Department of State, "[t]he [North Korean] Penal Code is [draconian, stipulating capital punishment and confiscation of assets for a wide variety of 'crimes against the revolution,' including defection, attempted defection, slander of the policies of the Party or State, listening to foreign broadcasts, writing 'reactionary' letters, and possessing reactionary printed matter".

(6) The Government of North Korea executes political prisoners, opponents of the regime, some repatriated defectors, some members of underground churches, and others, sometimes at public meetings attended by workers, students, and schoolchildren.

(7) The Government of North Korea holds an estimated 200,000 political prisoners in camps that its State Security Agency manages through the use of forced labor, beatings, torture, and executions, and in which many prisoners also die from disease, starvation, and exposure.

(8) According to eyewitness testimony provided to the United States Congress by North Korean camp survivors, camp inmates have been used as sources of slave labor for the production of export goods, as targets for martial arts practice, and as experimental victims in the testing of chemical and biological poisons.

(9) According to credible reports, including eyewitness testimony provided to the United States Congress, North Korean Government officials prohibit live births in prison camps, and forced abortion and the killing of newborn babies are standard prison practices.